

## **Approved 11/03/15**

Minutes of the October 6, 2015 Meeting of the Manitowish Waters Planning Commission

Meeting called to order at 7:00 P.M. by Chairman Sleight.

Commissioners in attendance: Sleight, Johns, Hoehn, Rayala, Hanson, Behnke, Bauers

Absent: Zoning Administrator Thiessen

Public Visitors: List attached to these minutes

Motion by Rayala, second by Johns, to approve agenda as posted and waive the reading.

Motion carried.

Motion by Behnke, second by Bauers to approve the September 1, 2015 meeting minutes as presented. Motion carried.

### Results of the September 1, 2015 poll vote of members regarding wayfinding signage

Question: Shall the Planning Commission recommend to the Town Board the approval of the installation of bike trail wayfinding signage as presented at the September 1, 2015 meeting of the Manitowish Waters Planning Commission?

Behnke: Yes Hanson: Yes Johns: Yes Rayala: Yes Bauers: Yes Sleight: Yes Hoehn: Yes

Question carried.

### Zoning Administrator's Report

Zoning Administrator Thiessen presented the monthly and quarterly reports.

Signage and pending subdivision of the Schmitz parcel: Thiessen reported that the pending subdivision exceeds minimum standards and was submitted as a CSM. Recommends approval of the subdivision, but the issue of the non-conforming billboard sign remains as neither business advertised on the billboard will become the purchaser of the lot and sign owner, resulting in two-off premise business signs.

The prospective purchaser of the lot stated that he wishes to use the sign after he purchases the lot, but will remove it when he erects a new conforming sign following the establishment of his business location.

Motion by Hanson, second by Rayala, to approve the subdivision. Roll call vote:

Behnke: Aye Hanson: Aye Johns: Aye Hoehn: Aye Rayala: Aye Bauers: Aye Sleight: Aye Motion carried.

Use of the existing billboard sign is approved on a temporary basis.

### Secretary's Report

Hoehn presented the Secretary's hours for approval. Motion by Johns, second by Rayala to approve. Motion carried, with Hoehn abstaining. No invoices were received.

### Enforcement of the Comprehensive Plan

No discussion or action. To be carried over to the next meeting.

### Clear Cutting at 13857 Woodland Lane

Thiessen passed on photos of the clear-cut area and quoted the tree cutting limitations from the ordinance.

Lawrence Berry, Uline corporate counsel, stated that clear cutting is not defined and the position taken is that not all trees were removed and that the affected area is a small portion of the entire parcel. Further, they rely on the local contractors to obtain any needed permits.

Hanson: Town's attorney recommended that the Town accept the County's effort to address the clear cutting via a remediation and restoration agreement.

Following review of the restoration agreement that has been accepted by the County, motion by Hanson to accept the restoration plan as a settlement with the landowner. Second by Bauers. Further discussion on the restoration plan and on the setting of precedents. Roll call vote: Behnke: Nay Hanson: Aye Johns: Aye Hoehn: Nay Rayala: Aye Bauers: Aye Sleight: Nay Motion carried.

Action on the contractor's fines to be deferred until he can appear. The daily fine continues to accrue.

### Town Donations Policy

Rayala: Would like to revisit. Still thinks should be all or nothing.

Hanson: Has been adopted by Town Board. If the Plan Commission wants to revisit it, the matter has to be addressed at a town board meeting.

### Matters Relating to Donations to the Town

Bike Trail Maintenance Agreement: Hanson stated that the donations policy does not authorize the Plan Commission to take any action on maintenance agreements, but welcomes recommendations. Hanson detailed the changes between the original and revised agreement, specifically referring to "sole discretion" vs. "in cooperation with" and signage approval (for liability concerns.)

Chairman Sleight opened meeting up to public discussion. Discussion on wayfinding signage vs. map signs vs. informational signs vs. traffic control signs and what is required and what is discretionary and liability issues. Johns: Trail (as opposed to the land the trail is on) is town property so should not be giving the right to approve signs to others.

Comments from audience: Sounds like the donor is responsible for maintenance, but the Town is responsible for the liability. Ineffective maintenance could increase town liability. Concerns expressed over when the maintenance will be performed (due to noise.) Question on why the agreement has to be on-going.

Berry: Concern is that the trail, plus the endowment for future maintenance, represent significant investments and the donor wants to avoid a situation in which a future board says "Thank you", takes control, and possibly jeopardizes the investment.

In response to audience questions Hanson stated that the Town's attorney has no problem with the agreement and that the agreement he signed earlier is void – it was never signed by donor.

Karen Dixon read from a letter from Tom Joseph proposing a license agreement.

Further discussion on revising the maintenance plan, what the plan should incorporate, and the desire for yearly review.

Public comments on how much visitors like the trail even if many residents don't prefer the manicured look.

Motion by Sleight to recommend to the Town Board that the existing Agreement not be approved and that signage issue be addressed and a yearly review of trail maintenance be incorporated. Second by Johns. Motion carried.

Pavilion Maintenance Agreement: Recommendation by Hanson to postpone any action pending discussion on the bike trail agreement. No further discussion.

Floating Pier at Koller Park: Bauers reported that the current pier system at the park is in up to 10 feet of water and it is difficult for the town crew to get some sections in and out. Have been looking at a floating system that stays in year around, bringing the matter up for information only. Have sketches for public review.

Bike trail well/water pump: Bauers reported that Bike Trail Inc. would like to install a well and hand pump at the Hwy K/Red Feather Rd parking area, planning on early/mid 2016. No action taken nor required.

#### Public Comments

Hanson requested that the parties that put up certain posters in town to voice their concerns.

Jan Richter: Handed out posters to encourage people to come to meetings. Feel like have been sold out with quick decisions that people were unaware of.

Public comments on the toilets, park-like areas, trees cut in the parks, lack of transparency, the speed at which things happen, misinformation, the effect that negative comments have on tourism, and the positive developments in town.

#### Closed Session

Motion by Johns, second by Behnke to go into closed session for the purpose of "considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility." Roll call vote: Rayala: Aye Bauers: Aye Hoehn: Aye Behnke: Aye Johns: Aye Hanson: Aye Sleight: Aye Motion carried. Time was 8:55 P.M.

#### Reconvene in Open Session

Motion by Behnke, second by Hanson, to reconvene in open session. Roll call vote: Behnke: Aye Hanson: Aye Johns: Aye Hoehn: Aye Sleight: Aye Rayala: Aye Bauers: Aye Motion carried. Time was 9:09 P.M. Motion by Hanson, second by Rayala, to approve the Secretary's contract for 2016. Motion carried, with Hoehn abstaining.

#### Budget

Review of 2016 Planning Commission budget. As a recommendation to the Town Board, the rewrite of the Comprehensive Plan is to be added to the legal fees line item, which will be increased from \$2,000 to \$32,000.

Article IX Subdivision Control and Approval

No discussion or action.

Year 2022 Comprehensive Plan

Sleight suggested trying John Williams for the rewrite. Hanson suggested an ad in the Wisconsin Towns Association magazine soliciting proposals.

Other matters for discussion

No discussion.

Next scheduled meeting November 3, 2015 at 6:00 P.M.

Meeting declared adjourned by Chairman Sleight. Time was 9:20 P.M.